IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR
&
THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

TUESDAY, THE 21ST AUGUST 2007 / 30TH SRAVANA 1929

WP(C).No. 25037 of 2007(E)

PETITIONER:

K.NARAYANAN, AGED 62, S/O.UMMINI,
KOLOTHUMANNIL PADINJATTETHIL, MAKKAMKUNNU,
PATHANAMTHITTA.

BY ADV. SRI.P.HARIDAS

RESPONDENTS:
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1. **SUPERINTENDENT OF POLICE,**
   PATHANAMTHITTA.

2. **SUB INSPECTOR OF POLICE,**
   PATHANAMTHITTA.

3. **MANAGER CITY BANK (AUTO LOAN DIVISION),**
   GROUND FLOOR, NO.2, CLUB HOUSE ROAD,
   CHENNAI- 600 002.

BY GOVERNMENT PLEADER SRI. SALIM P.A.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 21/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. BALAKRISHNAN NAIR & HARUN-UL-RASHID, JJ.

W.P.(C) No.25037 of 2007

Dated, this the 21st day of August, 2007

JUDGMENT

Balakrishnan Nair, J.

The petitioner is the registered owner of a Tata Indica car bearing registration No.KL 3 J-7121. The vehicle is hypothecated to the 3rd respondent. It appears that there is some dispute between the petitioner and the said respondent regarding the closure of the loan account. The petitioner submits that two persons claiming to be police constables under the 2nd respondent came to his house to take the vehicle into custody and to hand over the same to the 3rd respondent. So he filed Ext.P2 representation before respondents Nos.1 and 2 about the aforementioned illegal action of the persons who claimed that they are police constables. Thereafter this writ petition is filed seeking protection against police harassment.

2. The learned Government Pleader upon instructions submitted that no police constable was sent by the 2nd respondent or any other police officer to the petitioner. On receipt of the information regarding the filing of this writ petition, the petitioner was summoned to the police station and his statement was recorded. It is stated that he filed Ext.P2 complaint under the bona fide impression that those who came to him were actually police constables.

3. The police is not expected to act as the employees of a financier.

The learned Government Pleader vehemently denies that allegation also. We record the said stand of the learned Government Pleader and close this writ petition.

K. BALAKRISHNAN NAIR
JUDGE

HARUN-UL-RASHID,
JUDGE.

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